

SENATE BILL 3149
By Kyle

AN ACT to amend Tennessee Code Annotated, Title 8 and Title 16,
relative to service of process in courts of general sessions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 16-15-901, is amended by
designating the existing language of the section as subsection (a) and by adding the following
new subsections (b) and (c):

(b) Notwithstanding the provisions of subsection (a) to the contrary, an attorney
licensed to practice law in this state or the attorney's agent shall be authorized to serve
all regular process, writs and papers issued by the court of general sessions with the
same authority as provided by subsection (a) for the sheriff or deputy sheriff.

(c) In order for service of process under the provisions of subsection (b) to be
effective, the name of both the attorney and the attorney's agent, if any, shall be written
on the process to be served and both persons shall sign the process. Such process
shall be served in person by either the attorney or the agent whose names appear on
the process, and the person effectuating service shall file with the general sessions court
clerk issuing the process an affidavit of return stating that the process was served, the
identity of the person served, and the date, place and manner of service. An attorney's
agent may serve process under the provisions of this section only if such agent is
eighteen (18) years of age or older. The attorney shall be responsible for the actions of
the attorney's agent serving the process in accordance with generally accepted
principles of agency law.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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